

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
Civil Action, File Number 08-0077**

STEVEN PLOSKI,

Plaintiff,

v.

ANDREW PELLEGRINI INDIVIDUALLY,  
ANDREW PELLEGRINI IN HIS OFFICIAL  
CAPACITY, JOHN TWOMEY INDIVIDUALLY,  
JOHN TWOMEY IN HIS OFFICIAL CAPACITY,  
THE CITY OF YONKERS and THE YONKERS  
POLICE DEPARTMENT.

Defendants.

X

AFFIDAVIT OF SERVICE

X

John A. Raimondo, being duly sworn deposes and says that deponent is a person not less than 18 years of age and is not a party to the above-entitled action; and that on April 22<sup>th</sup>, 2008, deponent served two (2) copies of the summons and complaint on Andrew Pellegrini by personally delivering same in-hand to Edward Fitzgerald, Director of Special Projects for the Yonkers Police Department at the Office of the Yonkers Police Commissioner, 104 South Broadway, Yonkers, NY 10701 based on Mr. Fitzgerald's affirmative representation by phone message of April 17<sup>th</sup>, 2008 on deponents answering machine the he had personally spoken to Mr. Pellegrini and obtained his authorization to accept service and further on April 18<sup>th</sup> 2008 by telephone with deponent confirming his authorization to accept service.

  
JOHN A. RAIMONDO

Sworn to before me this 2<sup>nd</sup> day of  
May 2008

  
Notary Public

MANUEL J. MACHADO  
Notary Public, State of New York  
02MA6074642